

REMARKS

Upon entry of this amendment, claim 8 will be canceled without prejudice or disclaimer of the subject matter recited therein, claim 1 will be amended, and claim 12 will be added. Accordingly, claims 1-7 and 9-12 will be pending, with claims 1 and 12 being independent claims.

Claim 1 has been amended to include the subject matter of claim 8 which has not been rejected over the prior art of record, with claim 8 being canceled without prejudice or disclaimer. Moreover, claim 12 has been added which includes subject matter similar to that of claim 1 and recites that the nonionic surface active agent is *N,N*-dimethyldodecylamine oxide, such as disclosed at page 7, line 21 of Applicant's specification.

Reconsideration and allowance of the application are respectfully requested.

Consideration Of Information Disclosure Statements

Applicant expresses appreciation for the inclusion with the Office Action of initialed copies of the Forms PTO-1449, whereby the Examiner's consideration of Applicant's Information Disclosure Statements, filed December 3, 2004 and May 6, 2004, is of record.

Applicant notes that the Derwent Abstract cited on the Form PTO-1449 submitted May 6, 2004 has been crossed through with the assertion that, "No copy or publication date provided." In contrast to the indication that no copy has been provided, Applicant notes that a copy was provided in the parent application, and indicated as considered by the Examiner. Accordingly, in accordance with 37 C.F.R. 1.98(d), the Examiner is requested to confirm consideration in this divisional application. For the Examiner's convince another copy of the Derwent Abstract is provided and the Form PTO-1449 has been updated to include the publication date of the Japanese document.

The Examiner is therefore requested to forward an initialed copy of the form with the next communication from the Patent and Trademark Office.

Claim Of Foreign Priority

Applicant also expresses appreciation for the acknowledgment of the claim of foreign priority as well as receipt of the certified copy of the priority application. However, the Examiner is requested to indicated in the next communication that the certified copy is in the parent application.

Response To Allowable Subject Matter And Rejections

Applicant expresses appreciation for the indication of the allowability of claim 8 over the prior art of record, with claim 8 being objected to for depending upon a rejected claim.

As noted above, by the present amendment, claim 1 has been amended to include the subject matter of claim 8. Accordingly, claim 1 and each of the dependent claims should be indicated to be allowable. Moreover, newly-added independent claim 12 includes similar subject matter to claim 1. Therefore, claim 12 should be indicated to be allowable.

Accordingly, the rejections of (1) claims 1, 2, 4, 9-11 under 35 U.S.C. 102(b) as being anticipated by JP 63-40782; (2) claims 1, 3, 4, 9 and 11 under 35 U.S.C. 102(b) over GB 238872, or alternatively under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,340,648; (3) claims 5 and 6 under 35 U.S.C. 103(a) as being unapentable over Imura, GB 2348872, or Imura, U.S. Patent No. 6,340,648, or JP 63-40782 in view of JP 3-131580; (4) claim 7 under 35 U.S.C. 103(a) as being unapentable over Imura, GB 2348872, or Imura, U.S. Patent No. 6,340,648, or JP 63-40782; and (5) claim 10 under 35 U.S.C. 103(a) as being unapentable over Imura, GB 2348872, or Imura, U.S. Patent No. 6,340,648, or JP 63-40782 in view of WO 98/15505 are moot, and the rejections should be withdrawn.

CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of record, and allow each of the pending claims.

Applicants therefore respectfully request that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability.

Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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